

**CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT)
Compliance & Oversight Committee Meeting**

**December 15, 2003
Stephen P. Clark Center
111 NW Streets, 10th Floor
2:00 p.m.**

Summary of Minutes

CITT MEMBERS

Henry Lee Givens , Chairperson
Hon. John Cosgrove
Marc Buoniconti

COUNTY ATTORNEY'S OFFICE

Bruce Libhaber

OTHERS PRESENT

Hilda Fernandez, Executive Director, OCITT
Patty David, OCITT
David Tinder, PWD
Jose Galan, PWD
Jack Furney, OCITT
Virginia Diaz, OCITT
Betty Alexander, DBD
Pepe Valdes, OCITT
Cathy Lewis, MDT
Marlene Amaro, OCITT
Francisco Fernandez, MDT
Patrice Rosemond, OCITT
Joanna Santiago, OCITT
Frank Delvecchio, Citizen

ROLL CALL

With a quorum being present, Mr. Henry Lee Givens, Chairman, called the meeting of the Compliance & Oversight Committee to order at 2:15 PM.

APPROVAL OF THE AGENDA- December 15, 2003

Mr. Givens moved the approval of the agenda, seconded by Mr. Cosgrove and carried without dissent.

APPROVAL OF MINUTES – November 6, 2003

Mr. Givens moved to approve the minutes of November 6, 2003, seconded by Mr. Cosgrove and carried without dissent.

CITIZENS' COMMENTS

None

OLD BUSINESS

None

NEW BUSINESS

Memorandum Of Understanding (MOU) – Hialeah Distributed

Hilda Fernandez, Executive Director, OCITT introduced the background information of the MOU – City of Hialeah as well as the CITT staff recommendations. She stated that this item was presented at the full CITT meeting of December 3, 2003. At that time, there had been no prior review of the item by the Compliance and Oversight Committee. The question was raised as to why the item had not been reviewed by Compliance and Oversight Committee. Staff and the County Attorney's Office concluded that minority participation measures do not need to apply to a MOU or Joint Participation Agreements (JPA). The County Attorney also clarified that this MOU has already been executed and approved by the City of Hialeah, the Board of County Commissioners and is only pending the approval of the CITT. The item has gone before the Budget & Finance Committee and was deferred in order for the Compliance and Oversight Committee to consider the item. Ms. Fernandez recommended that all future MOU's and JPA's utilizing surtax funding should include such measures.

The committee will consider the following options:

1) Approve the MOU recognizing that there are no measures as set forth as they are done for contracts because it was done before the CITT had established a process and did not have to apply any measures. Staff asked that the City of Hialeah Attorney be present to speak on the issue and report on what measures

of minority participation are included. The attorney will be presenting Wednesday December 17, 2003 at the full Board Meeting. The information staff has received is that the vendor is a minority and staff has requested the information be provided in writing. 2) To reject the MOU which would be returned to the BCC and would require a 2/3 majority vote to override the committee's rejection of the MOU. 3) To take no action, which would result in delaying the implementation of the proposed project.

Mr. Givens stated that the project would remain in committee until the City Attorney or the appropriate representative made a presentation before the Compliance & Oversight Committee. At that particular time, he would not make a decision or recommendation.

Ms. Virginia Diaz, External Affairs staff asked if a Committee could stop an item from moving forward to the full Trust for approval.

Mr. Libhaber responded the CITT could defer it back to the committee. The other committees approved the item with a recommendation that it must be forwarded to Compliance and Oversight Committee for consideration and that has not been met.

Mr. Cosgrove stated that his position as Chair is that all items get proper approval by each committee before it is forwarded to the full Trust for approval. Secondly, he would like to hear from the City of Hialeah regarding its minority programs.

Mr. Givens stated that he is willing to set up a special meeting to accommodate City of Hialeah to present and answer any questions necessary to move the item forward to the full Trust.

Mr. Cosgrove moved to defer this item until the City of Hialeah makes a presentation before the Compliance and Oversight Committee and no action will be taken by the full Trust until the item has moved from the committee, seconded by Mr. Buoniconti and carried with out dissent.

ADJOURNMENT

There being no further business the meeting adjourned at 2:35pm